

Superior Court of Washington, County of _____

In re the marriage / domestic partnership of:

Petitioner (person who started this case):

And Respondent (other spouse / partner):

No. _____

Immediate Restraining Order (Ex Parte) and Hearing Notice (TPROTSC / ORTSC)

Clerk's action required: **2, 15**

Immediate Restraining Order (Ex Parte) and Hearing Notice

Use this form in marriage/domestic partner cases only. For parentage cases, use form FL Parentage 322. For non-parent custody cases, use form FL Non-Parent 422.

- 1. This Order starts immediately and ends after the hearing listed below.
2. Hearing Notice - The court will consider extending this order and the other requests made by the protected person at a court hearing:



on: _____ at: _____ [] a.m. [] p.m.
date time

at: _____, _____
court's address room or department

docket / calendar or judge / commissioner's name

Warning! If you do not go to the hearing, the court may make orders against you without hearing your side.

- 3. This Order restrains (name): _____

Warning! You must obey this order or you may be jailed.

- Violation [of sections 6-8] of this order with actual notice of its terms is a criminal offense under Chapter 26.50 RCW and will subject a violator to arrest.
- Violation of any part of this order may result in financial penalties or contempt of court.
- This order is enforceable in all 50 U.S. states, the District of Columbia, and U.S. territories and tribal lands (18 U.S.C. § 2265).

4. This Order protects (name/s): _____ and the following children, who are under 18 (if any)

Child's name	Age	Child's name	Age
1.		4.	
2.		5.	
3.		6.	

5. Findings

The court has reviewed the *Motion for Immediate Restraining Order*, supporting documents, and any other evidence considered on the record, including _____

The court finds there would be irreparable harm as described in the *Motion* if this order is not granted.

If hearing date is more than 14 days away – There is good cause to keep this order in effect until the hearing date (which is between 14 and 28 days after this order is issued) because (*describe the good cause*):

Other findings: _____

➤ **Court Orders to the Restrained Person listed in 3:**

6. Do not disturb

- Does not apply.
- The Restrained Person must not disturb the peace of the Protected Person or of any child listed in **4**.

7. Stay away

- Does not apply.
- The Restrained Person must not go onto the grounds of or enter the Protected Person's home, workplace, or school, and the daycare or school of any child listed in **4**.
- The Restrained Person must not knowingly go or stay within _____ feet of the Protected Person's home, workplace, or school, or the daycare or school of any child listed in **4**.

8. Do not hurt or threaten

- Does not apply.
- The Restrained Person must not:
 - Assault, harass, stalk or molest the Protected Person or any child listed in **4**; or
 - Use, try to use, or threaten to use physical force against the Protected Person or children that would reasonably be expected to cause bodily injury.

9. Surrender weapons

- Does not apply.
- The Restrained Person must follow the **Order to Surrender Weapons Issued Without Notice** (form All Cases 2-030) signed by the court and filed separately.

Findings – The court finds irreparable injury could result if this order is not issued until the time for response has elapsed.

10. Protect children

- The (*check one or both*): Petitioner Respondent must not take the children listed in **4** out of Washington state.
- Until the hearing, the children listed in **4** will live with the (*check one*): Petitioner Respondent.
- Other: _____

11. Protect property

- Does not apply.
- The (*check one or both*): Petitioner Respondent must not move, take, hide, damage, borrow against, sell or try to sell, or get rid of any property, unless it is a usual business practice or to pay for basic needs. Both spouses/domestic partners must notify the other about any expenses that are out of the ordinary.

12. Do not change insurance

- Does not apply.
- The (*check one or both*): Petitioner Respondent must not make changes to any medical, health, life, property, or auto insurance policy that covers either spouse/domestic partner or any child named in **4**. That means s/he must not transfer, cancel, borrow against, let expire, or change the beneficiary of any policy.

13. Bond

- No bond or security is required.
- The Petitioner Respondent must file a bond or post security. *Amount:* \$_____

14. Other immediate orders

Does not apply.

15. To the Clerk: Provide a copy of this order and the *Law Enforcement Information Sheet* to the agency listed below within one court day. The law enforcement agency must enter this order into the state’s database.

Name of law enforcement agency where the protected person lives: _____

Ordered.

_____ **▶** _____
Date *Time* *Judge or Commissioner*

Presented by: Petitioner Respondent

▶ _____ _____ _____
Sign here *Print name (if lawyer, also list WSBA #)* *Date*

To the Protected Person:

Warning! You must have this order served on the Restrained Person before it can be enforced.

1. Fill out a *Law Enforcement Information Sheet* (form All Cases 01.0400) and give it to the clerk.
2. You must have this Order, and the paperwork you filed with the court to get this Order, personally served on the Restrained Person by someone 18 or older who is not a party to this case. (Do not serve the *Law Enforcement Information Sheet* on the Restrained person – it is only for law enforcement.)
3. After serving, the server fills out a *Proof of Personal Service* (FL All Family 101) and gives it to you. Then:
 - File the original *Proof of Personal Service* with the court clerk.
 - Give a copy of the *Proof of Personal Service* to the law enforcement agency listed above.
 - Go to the hearing.
 - Bring proposed orders to the hearing.